

TRULINCS 63673054 - BEJAoui, MONDHER - Unit: BRO-H-A

FROM: 63673054
TO:
SUBJECT: Defendant's Renewal Request
DATE: 03/20/2013 07:49:30 PM

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>4/9/13</u>

UNITED STATES OF AMERICA.

-v-

INDICTMENT:

10 cr 553 (SHS)

MONDHER BEJAoui.

Defendant.

X

Defendant's Renewal Request for:

1. Relieve of defense counsel
2. Authorization to self representation
3. Suppression Hearing
4. Adjournment of trial date

Mondher Bejaoui
Defendant

April 9, 2013
Motion denied for all the
reasons set forth or
the record today.
S.D. ordered
M. H. S.D.B.

TRULINCS 63673054 - BEJAOUTI, MONDHER - Unit: BRO-H-A

FROM: 63673054

TO:

SUBJECT: Defendant's Renewal Request

DATE: 03/20/2013 09:13:30 PM

THE DEFENDANT writes to advise the court of relevant matters that need to be addressed prior to trial, which are requests to relieve defense counsel, an authorization to self representation, a suppression hearing , and an adjournment of trial date. The defendant brings to the court attention that these requests were previously submitted to the court in an application filed by the defendant dated 03/04/2013, in a good faith afford by the defendant to give the court an advance notice to resolve this matters and prevent delays.

Request NO.1: Relieve of defense counsel:

In light of the pending investigation of Joshua L. Dratel,Esq by the First Judiciary Committee of the Supreme Court, Appellate Division to determine whether or not Mr. Dratel have engaged in professional misconduct during his representation to the defendant as a stand-by-counsel (Attached copy of the Departmental Disciplinary Committee's letter to the defendant).

Because there had been a falling out between the defendant and defense counsel, the defendant was able to determine that it is in his best interest not to engage a conflict-counsel, and made clear decision not to waive a conflict-counsel representation.

Request NO.2: Authorization to self representation:

The defendant submits to the court that his request to self representation has been made voluntarily and knowingly.

Request NO.3: Suppression Hearing:

On 12/23/2010 the court granted defendant's request for a suppression hearing, the hearing was set for 01/24/2011, but the hearing never was conducted. On 10/19/2012 stand-by-counsel Joshua Dratel filed unauthorized request to withdraw defendant's pretrial motion to suppress his statement and his declaration of that motion.

The defendant request that the court is required to schedule the suppression hearing because the defendant did not withdraw his motion and the court decision of 12/23/2010 to suppress the statement must stand.

It may very well be the case that defense counsel less than meaningful representation and his failure to brief certain argument to prevent the government from pursuing the defendant in more vigorous matter. In fact the withdraw request is an intended misconduct.

Request NO.4: Adjournment of trial date:

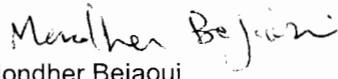
The defendant requests more time to await the court of appeals decision in the bail application appeal pursuant to Rule (9) of the Federal Rules of Appellate Procedure, which would have a bearing on defendant's trial preparation.(Attached is copy of the Appeals Unit's Letter to the Defendant)

Conclusion:

For the foregoing reasons the court should grant the defendant's renewal request to relieve defense counsel, authorize the defendant to self representation, schedule a suppression hearing, and adjourn the trial date.

Dated: Brooklyn, New York
March 20,2013

Respectfully Submitted,


Mondher Bejaoui
Defendant

Page 1 of 2

TRULINCS 63673054 - BEJAoui, MONDHER - Unit: BRO-H-A

CC: Rachel P. Kovner AUSA (By United states mail)

page 2 Of 2

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SUPREME COURT, APPELLATE DIVISION

FIRST JUDICIAL DEPARTMENT

61 BROADWAY

NEW YORK, NEW YORK 10006

(212) 401-0800

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KATHY WU

March 14, 2013

PERSONAL AND CONFIDENTIALMondher M. Bejaoui
#63673-054, MDC
P O Box 329002
Brooklyn, NY 11232

Re: Matter of Joshua L. Dratel, Esq.

Docket No. 2013.0340

Dear Mr. Bejaoui:

This office has received your complaint regarding the above-named attorney.

It is the function of this Committee to conduct investigations in order to determine whether or not attorneys have engaged in conduct which warrants professional discipline. Please be advised that we cannot take action to compel the return of money in any dispute, nor are we permitted to give legal advice.

A copy of your complaint will be sent to the above-named attorney. When we receive a written answer, it will be forwarded to you for written comments. We regret that we cannot provide detailed status reports during this investigation. You will, of course, be notified of the Committee's final disposition of this matter.

Correspondence and inquiries concerning this matter should be addressed to the undersigned. Please include the Committee's docket number on your correspondence.

Very truly yours,

Rebeca V. Taub

Legal Assistant

JD:adp/P: RVT

Enc.

PAR11

APPEALS UNIT
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DANIEL PATRICK MOYNIHAN UNITED STATES COURTHOUSE
500 PEARL STREET, ROOM 200
NEW YORK, NEW YORK 10007

RUBY J. KRAJICK
CLERK OF COURT

Date: 1/22/2013

Re: United States v. Mondher Bejaoui,
10 Cr. 0553 (SHS)

Dear Litigant:

Please be advised that this office received your notice of appeal, Application for to request finding facts, statement of reasons, and bail hearing transcript, and application to proceed *In forma pauperis* on 1/2/2013.

Your appeal will now be docketed in the District Court, forwarded to the Appeals Clerk and then transmitted to the Court of Appeals. If you have any questions about this procedure, you may contact this office by letter or by telephone during our normal business hours, 8:30 a.m. and 5:00 p.m., Monday - Friday (except federal holidays). Please note that we cannot accept collect calls.

Sincerely,



Docket Clerk
(212) 805-0175

TRULINCS 63673054 - BEJAoui, MONDHER - Unit: BRO-H-A

FROM: 63673054
TO:
SUBJECT: Affidavit Of Service
DATE: 03/20/2013 06:15:14 PM

CERTIFICATE OF SERVICE:

I, Mondher Bejaoui, the defendant , hereby certify that on March 20,2013 I caused a copy of the attached defendant's Renewal Request For: Relieve of defense counsel, Authorization to self representation, Suppression hearing, and Adjournment of trial date to be sent via United States Postal Services to:

1. Clerk of US District Court
Southern District of New York
2. Assistant United States Attorney
Rachel P. Kovner

I declare under penalty of perjury that the foregoing is true and correct. 28 U.S.C 1746

Dated: Brooklyn, New York
March 20, 2013


Mondher Bejaoui